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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/050,615	01/16/2002	David Vanker	2665/5	4617

7590 11/28/2003

BANIAK PINE & GANNON
Suite 1200
150 N. Wacker Drive
Chicago, IL 60606-1606

EXAMINER

BUCHANAN, CHRISTOPHER R

ART UNIT	PAPER NUMBER
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3627

DATE MAILED: 11/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/050,615

Applicant(s)

VANKER ET AL.

Examiner

Christopher R Buchanan

Art Unit

3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 September 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, and 4-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wolven et al. alone.

With regard to claim 1, Wolven discloses a method for transferring information between multiple buyers and vendors (see abstract) that includes receiving information regarding a plurality of products from a plurality of sources (col. 3 line 20+), storing the information in a first database (30, Fig. 1), receiving a request for a portion of the information stored in the first database (col. 6 line 49+), retrieving the information corresponding to the request and using it to maintain a dynamic record of product availability in a second database (col. 6 line 53+, col. 7 line 5+, col. 7 line 10+), and providing selective access to subsets of the second database to a plurality of subscribers (col. 7 line 10+). It would be obvious to one skilled in the art that the sources and subscribers could be a variety of entities, including vendors or buyers, and the information could be static or dynamic in nature. With regard to claim 2, access is provided (via the interface unit, 20, see Fig. 1) between the subscriber (100) and the sources (40). With regard to claims 4-9, the first database includes product information

and access to information/databases is only granted to certain entities. With regard to claims 10-13, information is acquired via data capture devices, which could be at a variety of locations (col. 8 line 10+). With regard to claims 14 and 15, it is common practice to set re-supply thresholds for inventory control and to take appropriate actions when the threshold is reached.

3. Claims 3 and 16-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wolven et al. alone.

With regard to claim 3, Wolven discloses an inventory management system (10, Fig. 1) that includes a central node (20), a plurality of vendors (40) electronically coupled to the central node, a plurality of buyers (100) coupled to the central node, and first (30) and second (44, col. 6 line 53+, col. 7 line 5+, col. 7 line 17) databases electronically coupled to the central node, wherein a request from one of the buyers is received at the central node (col. 6 line 62) which obtains information stored on the first database (col. 6 line 49+, col. 7 line 1+) from one of the vendors and displays the information on a second database (col. 6 line 53+, col. 7 line 5+, col. 7 line 17). The system retrieves the information corresponding to the request and uses it to maintain a dynamic record of product availability in a second database (col. 6 line 53+, col. 7 line 5+, col. 7 line 10+), and provides selective access to subsets of the second database to a plurality of subscribers (col. 7 line 10+). It would be obvious to one skilled in the art that the databases could contain a variety of information, such as product or inventory information, and could be static or dynamic in nature. With regard to claims 16 and 17,

information is acquired via data capture devices, which could be at a variety of locations (col. 8 line 10+). With regard to claims 18-20, it would be obvious to one skilled in the art that various entities could be provided with access to data in a variety of manners.

Response to Arguments

4. Applicant's arguments filed September 11, 2003 have been fully considered but they are not persuasive. Applicant's arguments are addressed in detail in the rejection above.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher R Buchanan whose telephone number is 703-306-5782. The examiner can normally be reached on M-T 9-7.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on 703-308-5183. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

CRB

Christopher Buchanan
November 25, 2003

Michael Cuff 11/26/03
MICHAEL CUFF
PRIMARY EXAMINER